GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Survey & Land Records Department – Allegation of corruption against Sri V.Suresh, the then Mandal Deputy Surveyor, O/o MRO Raptadu Mandal, Ananthapuramu District – Trapped by the ACB on 18-01-1999 - Convicted by the trial Court – Criminal Appeal No.1097/2003 filed by the Accused Officer before the Hon'ble High Court - Allowed –SLP filed by the Govt. before Hon'ble Apex Court in SLP(Crl.) CRLMP No.11981/2014 – Dismissed - Further action dropped – Regularization of Suspension period including the dismissal period under FR-54 (A)(3)-Orders Issued.

REVENUE (VIG.I.2) DEPARTMENT

G.O.Rt.No.1136 **Dated:06-11-2017**

Read the following

1. Judgment of Addl. Spl.Judge for SPE & ACB cases, Hyderabad. dt.01-9-2003 in C.C.No.07/2000,
2. AD, S&LRs., Ananthapuramu, Procs.Rc.A4/1181/03, Dt. 18-10-2003
3. Judgment of the Hon'ble High Court of A.P., Hyd. in Criminal Appeal No. 1097 of 2003 Dt. 09-6-2010
4. Govt. Memo No. 45172/Vig.IV(2)/2010-1, Dt. 01-3-2012.
5. Interim orders of the Hon'ble APAT, Hyd. in OA. No. 8992/2011 dt.23-11-2011
6. Govt. Memo No. 45172/Vig.IV(2)/2010, Dt. 01-3-2012.
7. Hon'ble Supreme Court Proceedings in SLP(Crl)CRLMP No. 11981/2014 filed by the Govt. of A.P., dated: 11-7-2014.
8. From the DG, ACB, Rc.No.7/RCT-ATP/1999, dt.11.5.2015.
9. G.O. Rt. No.551, Rev (Vig.I.2) Dept.Dt.16.06.2015
10. Representation of Sri V.Suresh, Mandal Surveyor, Parigi (M) Ananthapuramu Dist. Dt.06.12.2016
11. Govt. Memo No. 431856/Vig.I(2)/2017, Dt.01-2-2017.
12. From the Commnr.SS & LRs. Lr. Rc.No.H1/4024/10, Dt.17-4-2017.

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ORDER:

Whereas, in the reference 1st read above, Sri V.Suresh, Mandal Deputy Surveyor, O/o MRO Raptadu Mandal, Ananthapuramu District was convicted by the Hon'ble Additional Special Judge for SPE & ACB cases, Hyderabad in C.C. No.07/2000 in a case of demand and acceptance of bribe of Rs.1000/- from the complainant on 18-01-1999, for doing an official favour. Accordingly, Sri V. Suresh, Mandal Deputy Surveyor was dismissed from service for being convicted in the above said Criminal Case, vide reference 2nd read above. Aggrieved by this, Sri V.Suresh, Mandal Deputy Surveyor (under dismissal) has filed a Criminal Appeal No.1097/03 before the Hon'ble High Court. The Hon'ble High Court of A.P. allowed the Criminal Appeal and passed orders vide its Judgment dt.09-06-2010, and set aside the conviction and sentence recorded by the Trial Court and found that the Accused officer is not guilty of the offence and acquitted him of the charges vide reference 3rd read above. After examining the matter, Government have requested the Director General, Anti Corruption Bureau, to file an SLP before the Hon'ble Supreme Court of India vide reference 4th read above. In the mean time, based on the orders of the Hon'ble APAT in OA. No. 8992/2011, the Government have decided to reinstate Sri V.Suresh, Mandal Deputy Surveyor (Dismissed), Anantapuramu District into service, pending final outcome of the S.L.P. to be filed before the Hon'ble Supreme Court of India and accordingly issued instructions to the Commissioner, Survey Settlements & Land Records, A.P., vide reference 6th read above, to reinstate the accused officer into service.

2. Whereas, in the reference 7th read above, the Hon'ble Supreme Court have dismissed the said SLPMP.No.11981 on 11-7-2014 on the ground of delay against the accused officer Sri V.Suresh, Mandal Deputy Surveyor. The Director General, Anti Corruption Bureau, AP, has requested the Government to issue final orders in the matter vide reference 8th read above. Government, after careful examination of the matter, have issued orders dropping further action against Sri V. Suresh, Mandal Deputy Surveyor, Ananthapuramu District vide reference 9th read above.

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3. Whereas, in the reference 10th read above, Sri V. Suresh, Mandal Deputy Surveyor, Ananthapuramu District has submitted a representation before the Government with a request to regularize his suspension period from 05.2.1999 to 18.10.2003 including the period between the date of dismissal and the date of reinstatement to duty from 19.10.2003 to 10.04.2012, as on duty. Through the reference 11th read above, the Commissioner, Survey Settlements & Land Records, AP, Vijayawada, was requested to furnish a detailed report on the request of the Deputy Surveyor Accordingly the Commissioner of Survey Settlements & Land Records has furnished a report to the Government vide reference 12th read above, stating that the date of suspension to date of dismissal i.e., from 05.02.1999 to 18.10.2003 and the date of dismissal i.e., from 18.10.2003 to date of reinstatement i.e., on 10.04.2012 has to be settled as per rules to comply his request.

4. Government after careful examination of the matter, and keeping in view of the Judgement dated:09-06-2010 of the Hon'ble High Court in Criminal Appeal No.1097/03 filed by Sri V. Suresh have observed that as the individual was acquitted in the case on the merits, the suspension of Sri V. Suresh was unjustified. It is therefore decided to regulate the suspension period and period of dismissal from service to reinstatement into service as "ON DUTY" under FR-54 A (3).

5. Accordingly, Government hereby order that the suspension period from 05.02.1999 to 18.10.2003, and the period intervening between the date of dismissal from service and the date of reinstatement to duty i.e., from 19.10.2003 to 10.04.2012 in respect of Sri V. Suresh, Mandal Dy. Surveyor is regularized and treated as "ON DUTY" under FR-54 A (3) for all purposes and he shall be paid full pay and allowances for the period to which he would have been entitled.

6. This order issued with the concurrence of Finance Dept., vide their U.O.No.FIN-33021/419, Dt:17.10.2017.

7. The Commissioner of Survey Settlements & Land Records, AP, shall take necessary further action accordingly in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRAPRADESH)

Dr. MANMOHAN SINGH
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri V.Suresh, the then Mandal Deputy Surveyor,
O/o MRO Raptadu Mandal, Ananthapuramu District
through the Commissioner of Survey Settlements & Land Records,
Andhra Pradesh, Vijayawada.
The Commissioner of Survey Settlements & Land Records,
Andhra Pradesh, Vijayawada.
Copy to:
The Accountant General, A.P, Hyderabad
The Director of Treasuries & Accounts, A.P, Vijayawada
The District Treasury officer, Ananthapuramu
The Regional Deputy Director, Survey & Land Records, Kurnool
SC

// FORWARDED BY ORDER //

SECTION OFFICER